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Philadelphia 18th of June 1781

Dear Sir

I have your letter of the 15th of May. and am now in as great a hurry as you could have been when you wrote. I cannot consent to your paying Mr. Way. before the money becomes due to him. having many ways for the money at my command.

The bearer, Mr. Peaslee has made a journey to Philadelphia for the payment of the goods sent to Coos. the last year to you. I am sorry to confess that it is totally out of my power to give him a farthing. were it otherwise I could not do it on that account not being furnished with the invoice and receipts for the goods delivered on my account. which I beg you will furnish him without delay, in order that I may know the amount due to Mr. Peaslee as well as to enable me to charge it to your account at the same time. should it be in your power to pay him any part of the amount of the invoice - I beg you will do it on my account.

I observe what you say with respect to the black horse the charge appears to be high, and on the other hand no credit given for his services which I am told may be found on Mr. Dow. I therefore wish you would not pay for his keeping until that matter can be fairly investigated. at the same time you may assure Mr. Dow that I shall ever be disposed to do justice to him and all mankind.

I wish you to interest yourself in preventing Moreton from being regranted by the State of Vermont for I really wish to cultivate a good understanding, rather than to promote discord with the people of this country. The affairs of that State I am persuaded cannot long remain in their present situation. I much approve the spirited measures of your raising men for the defence of that exposed frontier and really hope, it may be productive of great and good effect.

Your petition to Congress I have had the Honor to deliver & interested myself in its contents. Referred to a

Instructions to the Delegates of the State of New York from Legislature

State of New-York ---------- In Senate June 30th 1787

Whereas Congress in and by an Act of the 24th day of September 1779 did, inter alia, earnestly recommending to the States of New-Hampshire, Massachusetts-Bay and New-York forthwith to pass laws expressly authorising Congress to hear and determine all differences between them relative to their respective boundaries in the mode prescribed by the Articles of Confederation; and further that the said States should by express Laws for that purpose refer to the decision of Congress all differences or disputes relative to Jurisdiction which they may respectively have with the people of the District called the New Hampshire Grants and also authorise Congress to proceed to hear and determine all disputes subsisting between the Grantees of the several States aforesaid with each other or with either of the said States respecting title to Lands lying within the said District and further provide that no advantage should be taken of the non-performance of the conditions of the Grants but that further reasonable time should be allowed for fulfilling such conditions. And Whereas Congress did in and by the said Act pledge their faith to hear and examine into the disputes and differences aforesaid between such of the three States as should pass such Laws as before mentioned on the one part and the people of the District aforementioned on the other; and after a full and fair hearing to decide and determine the same according to equity, and carry into execution and support their decisions & determinations in the Premises.

And whereas this State by an Act passed the 21st day of October 1779 pursuant to the said recommendation of Congress did on the part and behalf of this state authorise Congress to hear and determine all and singular the disputes the differences aforesaid

And whereas Congress by their Act of the 2d day of October 1779 recommending to the States of New Hampshire. Massachusetts Bay and New-York. to authorize Congress to proceed to hear and determine all disputes subsisting between the Grantees of the several States aforesaid with one another, or with either of the said States respecting title to Lands lying in the said District to be heard and determine by Committee or Judges to be appointed in the mode prescribed by the articles of Confederation

And whereas Congress by Act of the 2d day of June 1780 reciting among other things that it did appear by authentic evidence, that the people inhabiting the district aforesaid had in divers instances exercised civil and military authority over the persons and effects of sundry inhabitants within the said district who profess themselves to citizens of and to owe allegiance to this State, did resolve that the Acts and Procurings of the people aforesaid in contravening the good intentions of the said Resolutions of the 24th day of September and of the 2d day of October 1780, were highly unwarrantable and subversive of the peace and welfare of the United States and did thereby strictly require the said people to forbear and abstain from all Acts of Authority over the inhabitants of any Town or District who held themselves to be subjects of any of the States claiming the jurisdiction of the said territory in the whole or in part, until the decisions and determinations of Congress in the Premises should be made.

And whereas pursuant to the said Resolutions of Congress of the 24th day of September 1779 and in consequence of the said Law of this State passed thereupon a hearing on the part of this State relative to the said Controversy hath been had before Congress.

And whereas notwithstanding the censure and prohibition of Congress as aforesaid and in contempt of their recommendation

and authority the people inhabiting the District of the said Territory have by an act of their pretended government of the 17th day of February last, extended their claim of usurped jurisdiction by laying claim thereby to all the lands situated to the North of the North Line of the State of Massachusetts and extending the same to Hudsons River, then East of the deepest channel of said river, to the head thereof, from thence East of a North line being extended to latitude 45° and South of the same line; including all the lands and waters to the place where the said pretended State assumes to exercise jurisdiction and containing a clause not to exercise jurisdiction for the time being

Resolved that the delegates from this State in Congress be and they hereby are expressly instructed to insist and demand in Congress that a decision and determination of the controversies between this State and the people inhabiting the District aforesaid be made without delay.

Resolved that the delegates from this State in Congress be and they hereby and expressly further instructed to insist and demand that Congress do forthwith cause the people inhabiting the said Territory to desist from every attempt to carry into execution the said act of their pretended Govn. extending this usurped jurisdiction as aforesaid and from exercising any authority over any inhabitants who on the said 24th day of September 1779 claimed to be subjects of this State & that Congress do place this State in the same condition in every respect as to jurisdiction in which it was on the said 24th day of September 1779.

Ordered that Mr Pond a carry a copy of the foregoing Resolutions to the Hon.ble the House of Assembly.

Extract from the Minutes

Robt. Benson Clerk.—

State of New York—— In Assembly July 1st 1781

Resolved that this House do agree with the Hon.ble the Senate in the proceeding Resolutions

Ordered that Mr Schoonmaker & Mr Rockwell
carry a Copy of the proceeding Resolution of Concurrence
to the Honorable the Senate — Extract from the Journals

John Mc. Kesson.

2:1 [illegible]

Albany July 3d 1781

Sir

I am favoured with yours of the 30th ultimo. by your Brother No returns have been made to me of any prisoners of war who have been taken in the Grants except Thornton Spencer and a certain Eyres. As Spencer has been hitherto considered as a spy and returned as such to his Excellency the Commander-in-Chief and as Eyres has been considered a Prisonier of war to the United States in general. I do not conceive my self authorised to deliver either of them untill I receive instructions from Head Quarters

I shall take the earliest opportunity of writing to his Excellency on the subject, and transmit his answer to you but should I be relieved previous to the receipt of the Generals answer I shall inform my succesor General Starks of the matter and refer it to him

I am sir

Yours &c

Joseph Jay Esqr.

James Clinton

Note see Washington Answer to Gen Clinton on the next page.

Extract of letter from General Washington to General James Clinton July 9th 1781

I can give no Countenance to any Cartel which may have been settled between the People of Vermont and the Governor of Canada, and so I lately informed Sir Frederick by an officer sent down by him to me. I wish there may not be other business transacted under the cover of a flags from Vermont to Canada besides the exchange of Prisoners

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Bennington 30th June 1781

Sir

By this you will be informed that on exchange of prisoners to take place on the 20th of next month between this State and British Commander in Canada

I am therefore to desire you in the name and in the behalf of this State to return any number of prisoners of War in your department which have been made prisoners by the troops of this State to this place on or before the 10th day of July next. or if it should be inconvenient for you to send them I will give orders for their safe conduct to our Head Quarters at Castleton Otherwise Ensign Hathton Spencer, (a prisoner belonging to this State) I am informed is on Parole in Albany

Should you judge proper to give orders for this purpose my brother who will deliver you this will receive him and wait your answer further on this subject

I have the honor to be

Sir

Yours &c.

Joseph. Fay

Gen Clinton

Commisary of this State Vermont

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To the Honorable Superior Court now sitting in Westminster, within and for the County of Windham

Comes Stephen R. Bradley atty. for and in behalf of the Freemen of the State of Vermont and upon his oath presents, that Nathaniel Bennet of Tomblison, in said County, did on or about the first day of August last, post at Athens in said County utter and publish these false and defamatory words of the civil Authority, (to wit of Seth Oak then a Justice of the Peace) that he (meaning said justice has given a damned judgment against me) and he meaning said Justice has perjured himself, and deserves to be whiped darnly) thereby haveing respect to a sentence said Justice had past as a Minister & Court of Justice in the execution of his office - - -

All which is against the peace and dignity of the Freemen of the State of Vermont and against the

.. and effect of a certain paragraph of a Statute Law of this State Intitled and act for the punishment of Defamation reference thereto being had.

Dated Westminster Aug 4, 1781.

Stephen R. Bradley, Atty, for State

To the seriff of the County of Windham his Deputy, or either Constable of the Town Tomblison in said County Granting. In the name and by the Authority of the State of Vermont, you are hereby commanded to arrest the Body of Nathaniel Bennet of said Tomblison, and him have before the Honorable superior Court now sitting at Westminster in said County, as soon as may be, to answer to the above Information

Hereof fail not and make due return according to law -

, William Gould. Clerk.

Dated at Westminster
Sept 4th 1781
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Westminster 6th 1781 then took the body of the within named Nathaniel Bennet, and have him present in Court

David Hall. Dept: Sheriff

Services £ 0: 15: 10:

Gov^r Clinton to James Duane and Ezra L. Hommedieu
Delegates from New York to Congress.

Poughkeepsie aug 25th
1781.

Gentlemen.

I have had the honor of receiving your official Letter of the 7th and 9th instant concerning the Acts of Congress and duplicates relative to Vermont and the Commissions granted by Gov^r Trumbull. With respect to the first of these Acts I suppose it unnecessary now to enquire what is our rightful boundary and whether it is politically expedient to cede to the inhabitants of the Grants their claim to independence, and it appears to me equally unnecessary to enter into a disquisition of the Motives which have led Congress into the measure proposed in the Resolutions. A Question of greater moment possibly remains to be discussed; namely the <u>Authority</u> and <u>Right</u> of Congress to proceed on the Business in its present Form; and whether their Proceedings, for want of competent Powers, are not a mere nullity and an infraction of the Confederation. By the Confederation, Congress are authorised "to determine judicially all disputes subsisting between different States concerning Boundary or Jurisdiction and all controversies concerning the Private rights "to soil claimed under different Grants by two or more "States" but it is evident they have no authority arbitrarily, and for reasons of State Policy to declare any district or Territory an Independent State. A still more powerful objection arises to receiving Vermont into the Union (tho' a opening is left in the Confederation for the accession of Canada, but no other Colony is to be admitted except with the consent of nine States. The <u>Colonies</u> here in contemplation were undoubtedly the <u>British American Colonies</u> in this quarter of the world, and I think it a fair conclusion, that without the previous consent of all the States, <u>seperately</u> obtained, Congress cannot receive, as

a member of the Union, any people or Community, who cannot with propriety be considered as one of the Colonies alluded to in the eleventh article; and therefore even admitting the Grants, not to ~~in~~included within the territory of any State, it is nevertheless a case omitted out of the articles of Confederation, as they have never been recognised as a seperate Colony and they could not consistently have been admitted into the Union, unless all the States had previously and seperately empowered their Delegates to consent to their admission. If Congress, agreeable to their Power, had judicially determined a twenty mile line from Hudsons River to be the boundary of this State, Connecticut River to be the Western Boundary of New-Hampshire, and the present Northern Boundary of Massachusetts in that quarter to be its true boundary and had the applied to the different States, to consent that the remaining territory should be received into the Union, although we might in such case have supposed ourselves injured, and that the adjudication was contrary to evidence, yet as we had submitted the matter, it would have been our duty to acquiesce, and perhaps folly in us to with hold our consent to receiveing the inhabitants into the Union, as an additional Independent State. Then there would have been an apparent propriety in point of proceedure: but as the business is now conducting Concieve there is neither the form nor the substance of Justice, and it cannot possibly be warranted either by the Resolution of Congress or the Act of our Legislature passed in 1779. By the former, and on which the latter is founded, Congress declare they will decide according to Equity, & the President in his Letter cordially admits the present measure in the effect of political expediency; and I am much mistaken if this present expediency will not be greatly overbalanced by the consideration that the fundamentals of the Union, before it had existed six months, had infringed in a capital point — that the faith of Congress solemnly pledged for an equitable decision had, with respect to this

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other Public officers in taking forage and other articles from such farms in Westchester County whose proprietors were obliged to remove on the invasion of the enemy appears to me, extremely reprehensible and has excited general uneasiness and resentment. The settlement of the Public accounts inducing Colo. Hay to give his attendance in Philadelphia, he is also charged with this business. I must refer you to him for particulars and entreat your assistance in obtaining satisfaction for our injured fellow citizens who I believe will not submit to any determination of Congress until they are fully paid for their property and compensated for their damages. The State as Col. Hay will inform you is also interested in this business

I have the honour to be with the most perfect respect and esteem

Gentlemen

Your

Obedient humble Servant

Geo. Clinton

The Honourable

James Duane & Ezra L. Hommedieu

Esquires.

State, been most injuriously violated and in short that the confederation will hereafter be considered as a mere dead letter, only to be regarded where it does not interfere with views of immediate interest & expediency. What will be the sentiments of the Legislature relative to this affair I will not venture to determine; but as Congress have entered on, may even completed the business, without designing to consult the State, I do not suppose myself bound to convene the legislature in order to lay the matter before them.— The subsequent consent & ratification by the legislature I am confident will be essential, & the proceedings of Congress will not be obligatory on us, if we choose and are able to assert our Rights. I am sensible you must be in an embarassed situation. I would advise you (for I would not wish to be considered as directing or instructing) not to consent to any proposition inconsistant with your instructions from the the legislature, but merely in debate, to suggest thes difficulties, to shew that the business is conducting in an improper train that nothing will be effectual unless it is hereafter confirmed by us, and to intimate that if they expect to obtain our confirmation, Congress ought to guaranty to us every other Boundary as we now claim, and to take every possible method for securing the property of individuals in the contested district, so that the subjects of this State, may not be otherwise injured than by being obliged to submit another jurisdiction.

The act of Congress desiring Governor Trumbull to revoke his Commissions, must upon the least reflection appear imperfect and unsatisfactory.— It is still left optional in him and from his late letter there is no reason to believe that any Commission will be suspended in consequence of this recommendation of Congress. There ought in my opinion to be a decision on the true merits of the Question, whether a Commission not warrented by the Regulations, or Instructions of Congress is not void, and if there are any regulations or instructions warranting these Commissions, that they be revised and amended so as to prevent the evils complained of, and I could wish you would

press that the matter might be taken up in Congress on this ground. The letter from Governor Trumbull and my answer I have sent to Congress in my letter to the President, which you will find enclosed under a flying seal for your previous perusal. From an intimation in Mr Duanes letter I imagine it is supposed the year for which you were elected Delegates will expire on the 12th of September. This appears to me to be a mistake, and I would reason thus. On the organization of the Government, the Powers of the Delegates elected by the convention ceased immediately on the election of new Delegates by the Legislature, which was on the 2d October 1779 and every subsequent year ought to be deemed as commencing on that day notwithstanding the Election might have been held at any time before. — In 1778 the election was on the 15th October, so that there was a vacancy in the delegation of 12 days namely from the 2d to the 15th of October, and every subsequent year ought now to be considered as commencing on the 15th of October notwithstanding the election might have been, as in the present instance, held before that day. A delegate once elected must by the constitution continue for a year; and although there may be another election before the year expires, yet the new delegates are not in office until the year for which the last delegates were elected shall have expired, so that I am of opinion you will continue delegates until the 15th of October notwithstanding you were elected on the 12th of September. — If you are in sentiments with me I would wish you would remain at Congress until the 15th of October, as by the Confederation the delegates to be elected this year cannot take their seats until the first Monday in November, and we ought to remain unrepresented as short a time as possible — as to the difficulties you apprehend in case of the admission of Members from Vermont, I would submit to you the expediency or rather savering yourselves by a short Protest to retire from Congress.

The conduct of the Quarter Master General and

At a meeting of sundry Persons from ten of the towns in the County of Cheshire on the Hampshire grants East of Connecticut river at keen ye 21st of September 1781. Viz. Keen, Swanzey, Richmond, Winchester, Chesterfield, Westmoland, Walpole, Surry, Gilsum and Alstead. Benjamine Bellows Esq. in the Chair, After mature and deliberate consideration of the Disturbances and confusion which have arisen on accorint of the right of jurisdiction over said Grants; It was very unanimously agree by the Persons convened as aforesaid that some person be appointed to wait on the Hon^ble Committee of Safety at Exeter, as soon as Possible, and to lay before them the State of this County respecting the aforesaid dispute, and in particular that those persons who adhere to the late unhappy Union of the New Hampshire Grants are either Ignorantly or Willfully blinded in regard to the Construction they put upon the Resolves of the Hon^ble Congress of the 9th & 5 of august last which serves in some towns to confirm some Persons, who are for the union in their former opinion and some as was were not fully Established have (by some means or other since the said Resolves became Public) consented to the union, and some who are attached to New Hampshire say the Congress have not determined whether we shall belong to Vermont or not, that the difficulties in this Quarter are rather likely to be increased than diminished by what is already done to remove the same. It was also agreed that the Hon^ble Committee of Safety be requested (if they think proper) to send printed copies of the aforesaid Resolves to the several Towns upon the Grants East of Connecticut River, at least to those in the County of Cheshire with their Explanation, advice &c; and that they acquaint Congress with the aforesaid Premises if they shall think advisable.

The above was unanimously Voted——

Voted that Capt. Burt be impowered to wait upon the Committee of Safety with the above Proceedings — Benj^a Bellows Chairman

To the Hon^ble Committee of Safety at Exeter

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Head Quarters Continental Village Sept. 17. 1781

Sir

I have received undoubted intelligence from Canada, that the enemy have for some time been building canoes and small Batteaux at St. Johns, baking hard bread at Montreal, and forwarding it to the same place and this morning I learn that a brigade of troops have arrived at St Johns from Quebec — This renders it very apparent that the enemy have designs on the Frontiers somewhere — From the reported size of the small craft, they seem calculated for the creeks & rivers towards the settlement on the Head of Connecticut river, rather than, to cross the Lakes, In that case the western militia of your State can best lend aid, I submit to you the cautioning them to be in readiness for the purpose — —

I have sent a reinforcement to Albany; But the importance of the post in the High lands, and present situation of the enemy are such as forbid my making any considerable detachments to a distance, & constrain me to request that the number of militia called for from your State, in his Excellencys last letter, may be sent on immediately — They may, if not already on their march this way, rendezvouse at Charlestown No 4 — and remain there (or, in case the enemy should attack the settlements above, march to their aid) until further orders — In such case, please order the issuing Commissary in your State to see that they are served with provisions, while detained in the State

I have the honor to be

With great Regard

Your Honors

Most Obedient Servant

W. Heath

M. General

P. S. In case the militia rendezvous at Charlestown please direct the Commanding officer to report to me his name rank & the number of militia with him.....

I am just informed that a fleet of about 40 sail appeared

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in the Sound of Huntington the 15th standing eastward
But whether they had troops on board or were a wood
fleet is not known

W. H.

Hon. Meshack Weare Esquire

A true copy Attest

Joseph Pearsons D. Secy.

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Philadelphia Octo 2d 1781

Dear Sir.

I am informed that a committee of our house and Council have proceeded to Connecticut river to treat with the people concerning their attachment to Vermont, or something to that effect. I did not hear the names of the Comtee. However I hope the measure will be attended with good consequences.

That Comtee will doubtless be returned before this reaches you. I should be glad to be immediately informed of the result of their proceedings; as it may relate to the subject before Congress and strongly influence their resolution. 'Tis probable the com.tee of Vermont will be here before the last of Octo. for a final decision of this affair. I am very anxious to get this matter settled and to return home I shall presume the State will not be against my returning when this business is finished. I long to see the County of Grafton active and our whole internal policy settled.

I am Sir your most obedient
humble Servant
Samuel Livermore

Hon. President Weare

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12th Oct. 1781. To the Hon^ble Committee of Safety for the State of New Hampshire.

The Memorial of John Clark of the Township of Landaff, in the County of Grafton and State of New Hampshire ——— humbly sheweth That the memorialist was one of the first settlers in said Landaff, where he hath in opposition to wheadlings, flatteries, promises, frowns, threats, insults and every conceivable machanation invariably, to the utmost of his ability, endeavoured to support the common cause of these United States, under the Government, and agreeable to the Laws of the State of New Hampshire. — That notwithstanding the many difficulties usually occuring in the settlement of new plantations, and the peculiar embarassments which have hither to attended the settlement of said Township, the memorialist hath, by his industry, at great fatigue and expence acquired considerable property; a peaceable enjoyment of which, would afford a comfortable prospect for the subsistance of a numerous family and dependents; and enable him to aid others in the further settlement of that new country, and contribute somewhat for the support of the public cause. —

That the variety of hardships, insults and losses, which the ringleaders of the pretended State of Vermont, by usurping and exercising jurisdiction over the inhabitants of a number of Towns, in that part of the State of New Hampshire which lies adjoining on the east of Connecticut River, have driven many of the good and peaceable citizens of those Towns to sustain; on account of their inflexible attachment to the laws and government of the State of New Hampshire, and the Stratigems practiced by those ringleaders, and their emissaries, to alinate the affections of honest and well meaning subjects of said State of New Hampshire, — to induce them to renounce their allegiance, and to strengthen the hands of faction; being matter of such notoriety, your memorialist humbly conceives the Hon^ble Committee would esteem a rehearsel of them altogether needless ——— However, the memorialist cannot think

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himself censurable when he begs leave just to observe that the sentiments of the good people in many of those unhappy Towns, cannot be determined by the votes in their town meetings as none are allowed to vote but such as solemnly renounce all dependence on, or political connection with the State of New-Hampshire - and take an oath to support the government and laws of Vermont; so that ten men having received the Test will carry on the business of the meeting, when perhaps three times that number who have not the mark of the — and from principle cannot join the faction, are obliged to stand mute; — And in cases where a large minority, if allowed a suffrage, would appear in the negative, the proceedings are entered unanimously; by means where of most of the town officers chosen at such meetings, are from among those who are aliens from the commonwealth of New-Hampshire, and who endeavour by every possible means to prevent the knowledge and execution of the laws of New Hampshire among the people. —

That the memorialist and others, have patiently endured suffering, persecutions & new coined insult and indignaties not to be described firmly relying, that the authority and government of the State of New-Hampshire would not suffer the State to be dismembered, her authority trampled on, the Laws contemn'd or her devoted citizens to perish under the due execution of her laws, — And what has added much to the confidence of the unhappy sufferers hath been the spirited and and unequivical Resolves of the assembly of said State, especially that passed on the 20th of June last (viz) "That this State will exert themselves to prescrve there jurisdiction unimpaired, and to give effectual speedy support, protection and succour to the faithful, and distressed subjects thereof"

That the memorialist flatters himself both he and his fellow sufferers, have some idea of the complicated, and almost invincible embarressments, which have hitherto attended the due execution of the Laws in the County of Grafton,

in such way and manner as your Honors in great wisdome shall judge most conducive to the Jublic tranquility

And your memorialist as in duty bound shall ever Pray ——— ———

John Clark.

Exeter 12th of October 1781 —

Landaff October 3d 1781

We the inhabitants of the Sd Landaff having a Laudable attachment to the State of Newhampshire and likewise to the thirteen united States of America and as we live where Vermont claims jurisdiction have received so many insults from that quarter and are now in very Grate fear of being insulted by them and especially from the emessaries of the College do humbly Petition to the Honourable Court of New-Hampshire for ade and Protection against the insults and abuses of the Vermont and especialy the emisaries of the Coledg which your Petitions in Duty bound shall ever Pray

John Clark jun
John Clark
James Bressy
Ebenezer Clark
Jonathan Clark
William Cherchell
Nathaniel Ivy

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for the protection of its inhabitants_ But as the oppression of those usurpers hath arrived to such a height, your Honors can-nor will forbid attributing it to a petulent disposition in the memorialist, or his want of confidence in the authority of the State; when he assures your Honors he can no longer endure the torture of such accumulated distress.

That on the Morning of the 29th of September last at Landoff aforesaid, your memorialist being in the peace of God the good people of the State about his lawful employment, travelling in the public road, from his house to a remote part of his farm, when on a sudden, he saw a banditti of about a dozen men, armed with guns, and other offencive weapons, gathered in a riotous manner, near a barn in the possession of one Samuel Titus, when one of the ringleaders in the riot stepped forth from among the rest, and seized the horse on which your memorialist was riding and commanded the memorialist forthwith to join in the riot, to turn John Cresey, John Cresey Jr. and families out of their houses, to perish in the wilderness; but the memorialist obstinately refused to comply; and after some words had passed, it was proposed and voted by the rabble, that the memorialist should be confined; whereupon Eleazer Wheelock, James Wheelock. Ebenezer Chamberlain, Absalom Peters, Asa Bradly, and others, immediately, with force and arms in a high handed riotous manner_ made violent assault on the body of your memorialist, and made great efforts to bind him on his horse— By this time the <u>Mole</u> was in a tumult some accusing the memorialist of speaking against the riders, and saying that he would oppose their lawless proceedings— others that he was against the authority of Vermont— and others that he was an enemy to the College Party_ while some were pulling the horse by the bridal— others whipping— some yelling— others firing guns— then in triumph they carried off the unhappy victim of their malice— And after carrying the memorialist about in manner aforesaid, with threats, insults

and abuses from place to place, till near the setting of the Sun, when the said Eleaser Wheelock with some other of the rioters, seized violently on the Body of sd Memorialist, and by force dragged him towards the House of one Boyce, who was among the gang, whereby the memorialist was most greivously injured both in body and mind; That the said rioters then, and at divers other times, before & since, uttered and declared such threatnings and menancing words and speaches, of, and concerning the memorialist, as that he is in great anxiety of mind, about the present unsafe situation of his person, family, and property, and unless some speedy and effectual measures are adopted for their relief, he with many others have the gloomy prospect of being driven to the sad alternative of submitting to the Mandates of a lawless banditti on the one hand; or on the other, forsaking their dear earned habitations, to seek an asylum - - - - - -

Your Memorialist begs leave further to suggest as his opinion, that most of the political Dificulties subsisting in the Counties of Cheshire and Grafton, originate from the machinations of certain subtil Tories, Joined by those who have ye conducting of the Indian School at Hanover and their emissaries, to promote the views of British administration, rather than any attachment they have to support, the pretended State of Vermont.

Wherefore your memorialist in behalf of himself, and his fellow sufferers, humbly prays the interposition of the Hon^ble Committee, that you will, take the premises under your wise consideration, and issue orders to such officers in said County of Grafton, as are willing to exercise the powers of their respective offices which they now hold under the State of New-Hampshire; to exert the same in protecting those who conduct themselves as good subjects of said State, in their persons and property, from the insults and abuses of Mobs, riots or lawless individuals; and from the execution of any laws, or the exercise of any authority, than that which is under the government and people of the State of New-Hampshire; or relieve the Memorialist, and others,

The committee to whom was refered the report of a Comtee on certain Letters & Papers relative to the people inhabiting the district of country commonly known by the name of New Hampshire Grants, do report the following resolution, to be adopted by Congress—

Congress having resolved on the 7th day of August last,* that in case they should recognise the Independence of the people of Vermont, they would consider all the Lands belonging to New-Hampshire & New-York respectively lying without the limits of Vermont as so as coming within the mutual Guarantee of Territory contained in the articles of Confederation; and that the United States will accordingly Guarantee such Lands and the jurisdiction over the same against any claims or Incroachments from the Inhabitants of Vermont aforesaid—

And Congress hearing on the 20th day of the same month required (as an indespenceible preliminary to the recognition of the Independence of the People inhabiting the Territory aforesaid and their admission into the Federal Union) the explicit relinquishment of all demands of Lands or Jurisdiction on the East side of the West Bank of Connecticut River, and on the west side of a line beginning at the North West Corner of the State of Massachusetts, thence running twenty miles East of Hudson River, so for as the said river runs North Eastward in its General Course, thence by the West bounds of the Townships granted by the late Government of N. Hampshire to the River running from South Bay to Lake Champlain,— thence along the said River to Lake Champlain; thence along the waters of Lake Champlain to the latitude of forty five degrees North excepting a neck of Land between Missisko Bay and the waters of Lake Champlain.

And the People inhabiting the Territory aforesaid, not having as yet made the relinquishments aforesaid as above required, and attempting since the date of the above

resolutions to extend and establish their Jurisdiction over part of the Land guarenteed to the States of N. York & N. Hampshire as aboviesaid; and it being indispencibly necessary to bring all disputes respecting the Jurisdiction of the people rising within the Territory aforesd to a speedy issue

Resolved That the district of Territory comonly known by the name of the New-Hampshire Grants, by whatsoever name it shall be called, is and shall be bounded Westward by a line beginning at the North West corner of the State of Massa?; thence running Northward twenty miles East of Hudsons River so far as the sd. River runs North the Easterly in its general course; thence to the West boundary Line of the Townships granted by the government of N. Hampshire thence Northward along the sd West boundary Line of the River running from South Bay to Lake Champlain; thence along the sd River to Lake Champlain, thence along the waters of Lake Champlain to Latitude forty five Degrees North, including a Neck of land between the Missisko Bay and the waters of Lake Champlain; thence it shall be bounded North by latitude forty five Degrees North & Eastward by the west Banks of Connecticut River from forty five degrees North to the Northern Boundary line of the State of Massa?; and southward by the sd Northern boundary of the State of Massa?; from the sd West Banks of Connecticut River to the North West corner of Massachosetts aforementioned.

Resolved that in case the inhabitants residing within the limits afsd within on Kalender Month from the delivery of a certified copy of those Resolutions, by the Commissioner hereinafter mentioned, within the limits of afsd and from the time of the sd Commissrs leaving such certified copies at the usual place of residence of the said Thos Chittendon Esq- shall by some authenticated act recognising the last above described boundaries to the limits and extent of their Claim both of jurisdiction

and Territory, and shall accede to the Articles of Confederation and perpetual union between the States of New-Hampshire, Massachusetts B. Island & providence plantations, Connecticut, New-York, New-Jersey Pensylvania, Delewar, Maryland, Virginia, N. Carolina, S. Carolina and Georgia as agreed to in Congress on the 15th day of November 1777. and shall thereupon appoint Delegates on their behalf with full powers, Instructions & positive orders immediately to repair to Congress, and to sign the Dd articles of Confederation and afterwards to represent in the U. S. in Congress as Dd their said Delegates shall be admitted to sign the same and thereupon the Inhabitants of the above described District shall be acknowledged a free, sovereign and Independent State, by whatsoever name they shall choose to be called, and shall be considered as a component part of the federal union, and entitled to the advantages thereof

Resolved that in case the Dd Inhabitants within the above described District, do not desist from attempting to exercise Jurisdiction over the Lands guaranteed to New Hampshire & New York as afd and shall not within the time limited as afd comply with the Terms specified in the foregoing Resolutions, Congress will consider such neglect or refusal as a manifest indication of designs hostil to these U. S. — And that all the pretentions and applications of sd Inhabitants heretofore made for admission into the federal union, are fallacious and delusive; and that thereupon the forces of these States shall be employed against the said Inhabitants within the district aford accordingly — and Congress will consider all the Lands within said Territory to the Eastward of a Line drawn along the summit of a ridge of Mountains or heighth of Land extending from South to North throout the said Territory — between Connecticut River on the East & Hudsons River & Lake Champlain on the West as guarranteed to New-Hampshire under the articles of Confederation; and all the Lands within said Territory, to the westward of said Line, as guarranteed to New-York under the articles of Confederation — Provided always that Congress will consider any other partition, which shall hereafter by an agreement between the Legislatures of New-Hampshire

and New York be made between their respective States concerning the Territory aforesd, as guarranteed to them according to such agreement; Saving in either case all rights accruing to the State of Massachusetts or any other State under the articles of Confederation — and provided always that for the more effectually quieting the minds of the Inhabitants aforesd. the sd States of New-Hampshire and New-York respectively shall pass acts of Indemnity & oblivion in favour of all such Persons, as have at any time previous to the passing such acts, acted under the authority of Vermont so called in any manner whatsoever, upon such persons submitting to the Jurisdiction of sd States respectively; and provided always that the sd States of New-York & New-Hampshire respectively do pass acts confirming & establishing the Titles of all Persons whatever, to such Lands as they do now actually occupy & possess within the limits of the District aforesd under whatever Title the same may be held, either from N. York, N. Hampshire or Vermont so called, and also for Confirming & Establishing the Titles of all persons whatever, to such Lands within the District of sd as they may be entitled to under Grants from N. York, New-Hampshire or Vermont so called according to the priority of such of such Grants in point of time, excepting in such cases when the Lands are in the actual occupancy & possession of the Claimants as mentioned in the proviso above said — But in as much as some persons claiming in right of Grants made under the authority of the district or Territory called Vermont and not actualy occupying the same may be Deprived thereof by the interferance of other prior Grants &

Resolved that in case the partition aforesd shall take place any person claiming and deprived as aforesd his or her Asignee or representative shall receive full compensation in land or otherwise to be provided by Congress

Resolved, that it be and it is hereby earnestly recommended to the States of New-Hampshire & New-York respectively to pass acts of oblivion & Indemnity, in favour of all such persons residing without the limits of the district above Described, who

shall heretofore taken part with the Inhabitants — residing within the same against the Governments of either of those States, upon such persons quietly and peaceably submitting themselves to the Government & Jurisdiction of such State respectively to which they belong —

Resolved That in case of the neglect or refusal of the Inhabitants residing within the District aforesd to comply with the Terms prescribed in the resolutions aforesd That the Commander-in-Chief of the armies of the U. S. do without delay or further order, carry these resolutions as far as they respect his Department into full Execution —

Resolved, That a Commissr be appointed on the part of the U. S. whose duty it shall be, immediately to repair to the District aforesd and deliver a certified Copy of these Resolutions to Messrs. Chittendon Esqr. of the Town of Bennington aforesd or leave such copy at his usual place of Residence, & also to enforce on the Inhabitants of the sd District the necessity of their complying without Delay, with the Terms above prescribed by Congress, or submitting themselves peaceably to the Jurisdiction of the State of New-Hampshire & New-York agreeably to the above Resolutions,

State of Vermont

Charlestown 16th October 1781.

The Governor and Council having joined the General assembly in a Committee of the whole, to take into consideration the Report of the honorable Jonas Fay Ira Allen and Bezaleel Woodward Esquires, who were appointed by the Legislature of this State to repair to the american Congress, with Powers to propose to, and receive from them terms of an union of this..... with the United States &c.

His Excellency Thomas Chittenden Esq. in the Chair.

The said Agents laid before the committee the following Papers, which were read by the Secretary, in their order. Viz:

1st 2d A Copy of their Letter to the President of Congress of the 14th of August Last, inclosing a duplicate of their Commission.

3d The Resolutions of Congress of the 7th and 8th of August last

4th Brigadier General Bellows and associates petition to New-Hampshire 25th May 1781

5th Petion of the Selectmen of Swanzy, to New-Hampshire, June 9th 1781

6th Hon.ble Meshech Weare Esq.. Letters, to be laid before Congress, dated 20th June 1781.

7 Messrs Duane and Ezra L Hommediens Memorial and prayer to Congress, of the 3d day of August 1781 together with Ira Allen and Stephen C Bradley Esq. Remonstrance to Congress, dated September 22nd 1780.

8th Resolves of Congress, dated 17th August 1781

9th Written Proposals to the Committee of Congress, dated August 18th 1781

10th Questions proposed to the Agents of Vermont, by the Committee of Congress, August 18th 1781.

11th The foregoing Questions, with the answers annexed.

12th Resolutions of Congress, of the 20th August 1781 The further consideration of the report being revised.- ----------

Adjourned till tomorrow morning 9. o'clock. October 17th Time

according to adjournment. The committee proceeded to the consideration of the Resolutions of Congress, of the 20th day of August aforesaid, and to other papers mentioned in the report of said Agents, and after some time spent thereon;

Resolved, that in the opinion of this committee, the Legislature cannot comply with the Resolutions, last refered to, without destroying the foundation of the present universal Harmony and agreement, that subsists in this State, and a violation of Solemn Compact, entred into by articles of Union and Confederation.

The further consideration of the report being postponed

Adjourned to 9 o'clock tomorrow morning October 18th

The committee having resumed the further Consideration of said Report.

Resolved, that inasmuch as the Resolutions of Congress of the 7th and 20th of August last, did by no means Comport with, but entirely precluded any Propositions made by our Agents, it is therefore the opinion of this Committee, that the Propositions made by our Agents to the Committee of Congress on the 18th of August last, ought not, in future to be considered as binding, on the part of Vermont.

Resolved, That it be, and is hereby, recommended to the Legislature of this State, that their thanks be returned to their honorable Agents, for their good services in behalf of this State, on the Business of their late mission to the Congress of the United States of America ———

And this Committee recommend to the Legislature of this State to remain firm in the principles on which the State of Vermont first assumed Government, and to hold the articles of Union which connect each part of the State with the others, inviolate; and for the further information and satisfaction of the honorable the Congress and the world, do recommend to the Legislature to publish the following articles, which respect the admission of Vermont into the federal Union, viz.

In General Assembly Charlestown Oct. 19th 1781. The aforesaid report being read, and the Question being put. it was unanimously approved and accepted.

Attest Roswell Hopkins Clerk

In Council 19th October 1781.

Read and concured

Attest Joseph Fay Secry.

30th October 1781.

The preceeding is a true Copy of an act of the Legislature of the State of Vermont. lodged in the Secretaries Office of the said State

Micha Townsend Secry.

Art. 1st. That the Independence of the State of Vermont be held sacred, and that no number of the Legislature shall give his Vote, or otherwise use his Endeavours, to obtain any Act or Resolution of Assembly, that shall endanger the Existance, Independence and well being of said State, by refering its independency to the arbitrament of any power.

Art. 2d. That whenever this State becomes united with the American States, and there shall be any disputes between this, and any of the United States, respecting boundary Lines: the Legislature of the State of Vermont, will then (as they have ever proposed) submit to Congress, or such other tribunal as may be mutually agreed upon for the settlement of any such disputes.

And that the impartial World may be fully convinced of the good and laudable disposition of Vermont, & of her readiness to comply with any reasonable proposals, for the adjustment of the disputes, respecting boundary Lines, between this and the neighbouring States of New Hampshire and New-York; this committee further recommend to the Legislature, to make the following proposals to the said States of New Hampshire and New York respectively.

That whereas disputes have arisen between the States of New-Hampshire and Vermont, relative to jurisdictional boundary Lines &c. the Legislature of Vermont being willing and desirous as much, as in them lies, to promote Unity, and good accord between the two States: do propose to the State of New-Hampshire, that all matters relating to the aforesaid Dispute, shall be submitted to five or more, judicious unprejudiced Persons, who shall be mutually agreed on, elected and chosen by a Committee of the Legislature, on the part of each State respectively. And that the States of New-Hampshire and Vermont, do pledge their faith, each to the other, that the Decisions had by the Persons elected, being made up in writing signed by the President of such Commissioners, and delivered to the Secretary of each State respectively, shall be held sacredly binding on each of the said States of New Hampshire and

Vermont forever. And that proposals, of the same Tenor, be also made to the Legislature of New-York

And this Committee do further recommend that nine persons be elected Commissioners by the Legislature on the part of Vermont, to treat with commissioners to be elected on the part of New-Hampshire, and New-York respectively, for the adjusting the aforesaid Jurisdictional Lines; and that they be commissioned by his Excellency the Governor, and the faith of this State be by him pledged, in behalf of the State, that the Decision thus had, shall in future be held sacredly binding, on the part of Vermont.

This Committee further recommend to the Legislature, that the proceedings of this Committee be officially transmitted to the Congress of the United States, and that they be enclosed in a Letter, under the signature of His Excellency the Governor, and directed to the President of Congress

And this Committee do further advise the Legislature to recommend to the Authority, in every part of the State, to remain firm in the Support of Government, and the punctual Execution of the Laws; notwithstanding the various measures taken to create Divisions and Discord.

The commissioners chosen for the above Purpose, Phineas Whitesides, Gideon Warren, Joseph Caldwell Esqurs. the hon^ble Elisha Payne and Daniel Jones Esq. Ira Stiles Esq. the hon^ble Jonas Fay, Ira Allen and Peter Olcott Esq^rs

Resolved, that it be an Instruction to the said Commissioners, that they prepare and make the necessary defence in the premises: and that they introduce the said matters to New Hampshire and New York, in such way, as to them shall appear best.

19th October 1781.

Voted That this Committee be disolved

Resa Woodward Clerk of Committee

State of Vermont

Favour, that God in his mercy would continue those Blessings we enjoy, and in his own time avert his heavy judgments and Grant Peace to this Land; That he would turn us from our Evil Ways, and cause pure and Undefiled Religion to revive and flourish throughout this Land.— The Gospel run and be glorified.— That he would raise up and send forth faithful Labourers into his harvest, that the many Destitute Congregations may be supplied with faithful ministers of Jesus Christ: That in due time the just Cause of this State may be fully acknowledged, when Our Enemies shall be confounded when Iniquity shall hide its Head, and all ~~the~~ Nations be at Peace, and the whole Earth filled with his Glory.

And all Servile Labour is forbidden on said Day

Given under my hand, in Council, at Charlestown this 2d Day of October in the fifth year of our Independence A.D. 1781

God Save the People

Thos. Chittenden

A true Copy attest Thos. Fisher

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His Excellency

(L. S.) Thomas Chittenden Esqr.

Captain General Governor, and Commander in Chief in and over the State of Vermont.

To the Honourable Elisha Payne. Jonas Fay. Ira Allen and Peter Olcott Esqrs. Daniel Jones Esq; Colonel Gideon Warren. Phineas Whitside Esq; Colonel Joseph Caldwell and Ezra Stiles Esqrs: ——— Greeting ———

Agreeable to a Resolution of the Governor, Council and House of Assembly at their session held at Charlestown this Instant October, appointing you Commissioners for and in behalf of the State of Vermont to enter upon a Negotiation for the Settlement and Ajustment of the Boundary Lines, as well between the State of New-Hampshire and Vermont as between the State of New-York and Vermont agreeable to your Directions contained in the Resolutions aforesaid ———

These are therefore, in the Name and by the Authority of the Freemen of the State of Vermont, to authorize and amply empower you the said Elisha Payne. Jonas Fay. Ira Allen, Peter Olcott, Daniel Jones. Gideon Warren, Phineas Whitside. Joseph Caldwell, and Ezra Stiles, or any five of you the said commissioners to complete and carry into Execution the Negotiation and Settlement of the said Boundary Lines of jurisdiction between the said States of New Hampshire and New York with the said State of Vermont respectively agreeable to said Resolutions.

And I do hereby pledge the Faith of the said State of Vermont, that the determination had in the Premises shall be held steadily Binding on the part of Vermont

In testimony whereof, I have hereunto set my Hand, and caused the Seal of this State to be affixed, In Council, this 27th Day of October Anno Domini, One Thousand seven hundred & Eighty one — and in the 5th year of the Independence of this State.

Thomas Chittenden

By His Excellency's Command

Th. Tolman Dep. Secry.

(Duplicate) 310

232:483

By his Excellency Thomas Chittenden Esquire Captain General Governor and Commander-in-Chief in and over the State of Vermont.

A Proclamation

It having pleased the Supreme Governor of the Union in the course of his Holy and righteous Providence, to give us, reason to rejoice & give thanks in the midst of his heavy judgements with which we are justly afflicted: we under the strongest obligations to devote our lives to his Glory. & with due acknowledgements to render praise to his Name.

I have therefore thought fit, by and with the advice of the Council, & at the Request of the General Assembly of this State, to appoint, and I do hereby appoint Thursday the 9th Day of December next, to be observed & kept as a Day of Public Thanksgiving & Praise to Almighty God. And I do hereby call upon & Strictly require all Persons residing within this State, of every Denomination, carefully to observe & keep sd Day; that we may with united hearts & voices gratefully acknowledge the beneficence and goodness of Jehovah, in the repeated tokens of his mercy towards us: That he has preserved so many of our Lives the year past, and been Graciously pleased to defend our frontier Settlements, in the midst of a calamitious War, and in so singular a manner granted success to the American Arms and their Allies, in every part, both by Sea and Land:— That he has been pleased to direct our Councils, and Bless the Administration of civil Government in this State, and preserved so much Unity, and peace amongst us:— That he has blest so many of us with health and Safety in our Dwellings:— That notwithstanding our Sinfull provocations we are yet favoured with a preached Gospel, which manifests that he is yet waiting to be Gracious unto us:— That he has smiled upon and Blessed the Labours of our hands and gave us so fruitfull a Season with plentifull Harvest— That he has filled our hearts with Joy and Gladness and crowned the year with his Loving kindness and tender mercies— And At the same time humbly implore the Divine

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Walpole Nov^r 15^th 1781

Hon^d Sir

Being prevented by bodily indisposition, from doing myself the honor of waiting upon you with a Verbal account, of our unhappy Situation in this part of the State, by reason of Claim of Vermont upon us, must do it as well as I can by writing. That the authority of the State may take such Effectual measures as they in their Wisdom Judge the present exigency of affairs calls for.— The Inclosed Declaration and other acts shews that the pretended Officers of Vermont, Notwithstanding any Resolution of the Congress of the United States, mean, to exercise their authority, East of Connecticut River, in all cases whatsoever, in every place where their numbers render it safe for them so to do, and to Prevent either Officers or People still adhering to Hampshire from the exercising of any act of Government or Privilege according to the Laws of said State— if these things are suffered by this State, and the Government of Hampshire will sit still and see her Faithful adherents Dragged to Goal, for supporting in an Orderly way, her Jurisdiction over a Territory Guaranteed by Congress, our case is Pittiable ---- Vermont has levied a Tax upon the Lands on this, as well as the west side, of the river, and mean to Collect it where they have a Majority, the Consequence of which I much fear will be Violent if not Sanguinary Measures— We wait with impatience for some measures taken by you to allay our fears, and quiet our minds, under Present Prospects— if the Wisdom of the State should think it necessary to use more Vigorous Methods than they have as yet done, as no doubt they will) Tho' I mean not to dictate, yet I think it might be best for any Officers sent to support Government here, with their Posses, to come from off the Grants, as it would be more likely to settle us in peace, than the Employing any among us, for this Purpose, where we are so intermixed, and nearly Equally Divided— I must further let your Honor know that if Effectual method were taken by the State to secure some of the Leaders of the Revolt, which I doubt not might safely, if Secretly and

Prudently attempted, be done, in all probability matters,
would rest Quiet till the United States could do something de-
cisive, if they did not take a turn in our favour — Your Honor
will make such use of what I have wrote you in Confidence
as the good of the whole State may call for, so as not to Prejudice
unnecessarily any against one who is with much Sincerity

Your Honors most
Obedient and Humble
Servt
Benj^a Bellows

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Copy a

Arlington 14th Decr 1781

Sir,

I have received dispatches from William Paige Esqr Coyr. Sheriff of Washington county which give me to understand that there is a high probability that the government of New-Hampshire are about taking coercive measures to compel the peaceable citizens of this State to submit to the laws and authority of New-Hampshire— The Sheriff further desires any special orders in the matter relating to the premises and as my remote situation renders it impracticable that I should have the knowledge of the particular occurances which may take place should such an attempt be made by New-Hampshire, therefore I can only give you general orders in the matter. viz. provided that New-Hampshire reject the proposals of the legislature of this State, and insist upon hostile measures you are hereby directed to call on such of the members of the Council and the Generals Fletcher and Olcott and such of the field Officers of the Militia on the east side of the mountains as you may think proper, and after hearing consulted matters (if need be) you are directed to call on any or all of the Militia of this State to the eastward of the range of Green Mountains to your assistance and to assist the Sheriff in carring into execution the Laws of this State and to defend its citizens against any insult, and provided New-Hampshire make an attack with an armed force, you are hereby ordered to repel force by force in the mean time you will use every means in your power consistant with the happiness and dignity of this State to prevent the effusion of human Blood, which at this time might be more or less injurious in the common cause of America as well as attended with many other serious considerations and which I pray God may never take place

I am Sir

Your Obedient and

humble Servant

Thos Chittenden Capt Genl

Elisha Payne Esqr.

Major General.

2927 63

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N. B. provided a force from New Hampshire precipitate an invasion you must act with that expedition which their manoeuvers may require with such council as you can in haste collect

J. C.

23. 1832. 1. 6.

Substance of the Complaint Exhibeted against Nath.l Bingham & John Grandy by Sam.l Davis. To the Hon.ble Samuel King Esq.r Justice of the Peace Complains Samuel Davis that on the night of the 5.th of Nov.r Instant being in the house of Nath.l Bingham in the Execution of his office as Constable in Attempting to serve a precept upon James Robinson that John Grandy did by force & arms oppose him the S.d Sam.l Davis and Did not suffer him to make his service all which is against the peace & Dignity of this State this is therefore to pray your Hon.r to grant a warrant to apprehend the S.d Grandy So that he may be done with as Law & Justice doth thereunto appertain as in Duty bound your complainant in Duty bound shall ever pray

Sam.l Davis Com.

Wm Binghams Crime was that on the above Night S.d Bingham did by force & arms oppose the S.d Davis & ordered him to Depart his house & told him that none of his Precepts should be served in his house. To both of the above complaints when the Questions were asked whether Guilty or not, they said not Guilty. Then the Influence of their Court was used for them, to throw themselves on the mercy of their Court & submit their cause to a jury but they refusing they proceeded to Examine into the Complaint & endeavour to support it by four evidences the crime appearing so high the Justice ordered them to be Recognized to the Superior Court & procure Bonds or go to Jail: they offering to go to Jail the greatest pains possible was taken to persuade them to procure Bail & offers were made to them even to take any Persons word which they would produce in lieu of Bonds if they would but comply.

By the best information that can be obtained of a Complaint which is exhibited against Lt Leslie is charged with threatning to take the Life of the S.d Samuel Davis whereupon, a warrant is Issued & Orders given to break up any house when the S.d Lee may be found.

231 Dec. 4 [illegible]

Arlington December 15th 1781.

Sir.

I have consulted a number of the members of my Council on the Controversy between this and the State of New-Hampshire Respecting the Boundary lines between the two States whereupon I do hereby appoint and authorise you to repair to the Genl Court of New-Hampshire & there use your Influence that they comply with the Proposals of the Legislature of this State for an amicable Settlement thereby if Possible to prevent the effusion of Human Blood as the appearence of Civil War will but too much give countainance to the Common Enemy of these States

Thomas Chittenden

To Col. Ira Allen

(Copy)

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State of Vermont } ss. Whereas Nathaniel Bingham was
Washington } convicted before me Moses Smith Justice
peace within and for the County of Washington for impending
and hindering as well as opposing an officer in the Execution
of his office in Chesterfield in the County aforesaid Thereupon
having taken into Consideration the case aforesaid do adjudge
that the said Nathaniel find sureties to the next County Court
of Common Pleas to be holden in this County in the sum of five
hundred pounds Lawful money for his for his appearence at Do

Yhes are therefore in the name and By the authority
of the freemen of the State of Vermont to command you the
Sheriff under Sheriff or Deputy or Goaler of the County afore-
said to Receive the Body of the said Nathaniel and him keep
and have in the Goal of our said County until he may be had
before the Justices of our County Cort of Common Pleas
next to be holden at Charlestown within the County aforesaid
hereof fail not at ,----

Given under my hand this 12th day of November
A. D. 1781.

Moses Smith Justice of the peace

Attest. Isaac Gresvolet Dept Sheriff

A true copy of what was left with me on the
committee Nathaniel Bingham to Goal in Charlestown
on the 14th of Nov. 1781.

Attest.

231 1781 460

State of Vermont)
Washington ss) Whereas John Grandy Juner of Chesterfield in said County was convened before me Samuel King Esquire one of the Justis of the peace for said County for Impeading & hindering one Sam Davis Constable of said Chesterfield executing his ofis and I proceeded to examine into the matter and after due examination in to the matter the offence appeared to me with its Aggregations to be so notorious and horid that I ordered the offender to be bound to the next County Court and the said John did refuse to get Bondsman for his appearence at said Court

to the sheriff of said County his Depute Eyther of the Constables the town of Chesterfield in the name and by the authority of the State of Vermont is or are hereby required to take the body of John Grandy Jun. of said Chesterfield if he may be found within your Precints and him Commit to the common Goal in Charlestown in said County within his said Rison and our said Sheriff or Goal keeper is hereby required to keep the said John till he be had before our Justices of our next County Court to be holden in said County hereof fail not as you will answer on your peril Given under my hand at Chesterfield this 12th Day of November 1781

Samuel King Justice of the peace

Att. Isaac Griswold Dept Sheriff

A true copy of what was left with me on the committing John Grandy to Goal in Charlestown on the 14th of Nov. 1781.

Attest

The within copy was drawn by a person who was favoured by the Goal keeper with the Copies left with him, and the Goal keeper was desired examine and attest it but declined it was then presented to the Sheriff with the same request and he declined signing it.

State of
New-Hampshire } In Committee of Safety Exeter Oct 6th 1781

Sir.

Your letter of the 2d Instant we have received & observed the Contents — have given orders to the Board of War to send a Waggon (with 300 lb Powder — 600 lb Lead or Balls & 1000 Flints) to Charlestown as soon as possible, and to deliver said articles to you for the use of Colonels Bunnels's Regiment, which you will deliver them at such times & in such Quantities as you may think proper — with respect to Barracks, Fuel, Cooking Utensils &c. if you cannot supply them in your official Capacity must request that you would do the same in the best way you can on account of the State for which you will be paid — doubt not you will do every thing in your power for supplying Provisions &c.

I am

Your most Obedt Servt ———

Josiah Bartlett Chairman

Colonel. Samuel Hunt

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State of New Hampshire } In Committee of Safety Exeter Sept. 27th 1781

Sir.

Inclosed is a Copy of a Letter from Majr Genl Heath in Consequence of which we have ordered the Militia raised by this State commanded by Cols Runnels to Rendezvous at Charlestown as soon as possible &c. You will see by said Letter that the Genl thinks proper that the Issuing Commissary in this State should be ordered to Serve them with Provisions— but the committee not knowing who is issuing Commissary, nor the Situation of the Continental Stores at Charlestown are desirous if there is any person appointed that you would inform him of the matter if not that you would undertake the issuing said Provision— in case you cannot— that you would appoint some proper person to do it— if there is no Continental Stores you will please to call on Francis Blood Esq for supplies of Beef and Bread from time to time as you may stand in need of as we have wrote to him to furnish you with supplies for that purpose— as you are Deputy Quarter master we Expect you will do all in your power to furnish Officers and men with Barracks, fuel, and Cooking utensils —

By order of the Committee

To Colo Samuel Hunt. Josiah Bartlett Chairmen

P. S. as these men are raised at the Expence of the United States you will receipt for any provisions you may receive from Esq Blood in the same manner you have done for the Beef Cattle, & issue any salted Beef or any other provisions or Stores which you may have belonging to the United States that may be necessary for them if there is not any ~~provisions~~ ammunition belonging to the United States which these men may obtain, you will see that they are furnished from the Stores belonging to this State and Call on any person or persons who may have charge of the same for that purpose

Please to write as soon as possible

J. Bartlett Chairman

232: 307

Charlestown Nov.r 23d 1781.

Provision Return of a Regt from the State of New-Hampshire Commanded by Lt Col Reynolds. three days—

Names	Captains	Subs.s	No. of men	Off.rs Rations	Private Rations	No. of Days	Qut of Beef	Qut of Bread	Pounds Candles	
Table Mess										
Capt Parsons	1	1	33	1	1	3	131	105		
Capt Woodman	1	1	47	1	1	3	184	147		
Capt Boyes			52	0	1	3	195	156		
Capt Thomas	1		23	1	1	3	90	72		
Capt Webster	1		28	1	1	3	109	87		
Capt Head	1	1	39	2	1	3	161	129		
Capt Mills	1	1	40	1	1	3	161	129		
Total	6	4	257				1031	825	10½	

N. B. Fourteen Rations in this Return were detained from Capt Woodmans Compy

Capt Mills 2 Rations

Left of Capt. Mills Comp.y 1 Ration

Daniel Reynolds Lt Col Comdt

Recd. of Colo. Hunt Commis.r of Issue at Charlestown on acct of the within Return Nine hund.d Sixty one pounds salte Beef. Seven hund.d Sixty nine pounds Bread & ten & half pounds Candles— fourteen Rations for four Days reducted out of Capt Heads & Woodmans Companies—

Josiah Flagg C.r Mast.r

Nov. 23d 1781

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Castleton 28th Oct 1781

Dear Gov

Rec'd yours by Express in which I did Expect your Orders but it is better possible to Expose me to the scorn of the world than that favourright police should but it has in Consequence of the Correspondence Carried on with Canada made it much easier, for it has brought my Enemies 140 miles nearer than otherwise they would have been however some may say that I am not acquainted with the police of this State. I beg leave to say that has brought the whole force of Canada to Ire. in order to protect the new Colony of Vermont the conversation of the officers to our men they sent home and the open letter they gave them which they which they were directed to recid. Causes much speculation among all ranks of people in Council with Colo Fletcher Col Robinson Col Clark and Mr Hebert we were obliged to acquaint Mayor Richenor with the whole afair. when he was told he said he knew the whole afair before many more I understand are no strangers to the matter.

I am your very Humble Servant

Roger Enos

His Excellency
Thomas Chittenden

1930

231 [illegible]

Copy of Nathl. Bingham's mittimus

State of Vermont-Washington. ss.

Whereas Nathaniel Bingham was convicted before me Moses Smith Justice Peace within and for the County of Washington for impeeding and hindering as well as opposing an officer in the Execution of his office in Chesterfield in the County aforesaid. I therefore having taken into consideration the case aforesaid do adjudge that the said Nathaniel find sureties to the next County Court of Common Pleas to be holden in this County in the sum of five hundreed pounds lawfil money for his appearance at said.

These are therefore in the name & by the authority of the freemen of the State of Vermont to command you the Sheriff, under Sheriff or Deputy or Goalor of the County aforesaid to receive the body of the said Nathaniel and him keep and have in the Goal of our said County until he may be had before the Justices of our County Court or Court of Common Pleas next to be holden at Charlestown within the County aforesaid here of fail not at your peril. Given under my hand this 12th day of November A. D. 1781.

Moses Smith Justice of the Peace

Attest) Isaac Griswold. Deptg. Sheriff—

A true copy of what was left with me in the committing Nathaniel Bingham to Goal in Charlestown the 14th Novr 1781.

Attest) (Copy).

Walpole Nov^r 29^th^ 1781

Sir

The method taken by the General Assembly for Liberating Messrs Bingham and Grandey are so far from being effectual for that purpose, that the Authority of Vermont have imprisoned the Sheriff of the County of Cheshire who was sent here for the Purpose aforesaid, the authority of said Vermont are determined to keep the Goal and their Prisoners, and also to withstand and oppose (by force of Arms) all the Sheriffs and their Posses who may be employed by New-Hampshire to counteract any of their Purposes or designs; it is said they can raise (by their account) Six hundred at the shortest notice, who will resolutely dispute the Ground Inch by Inch; That the Posse should be raised to carry the orders of the State into Execution now, is absolutely necessary, something effectual must be done, delaying will not answer, and unless some force can be obtained from without the County of Cheshire, it will not be advisable to Dispute the Ground any Longer. You can but be sensible of the ill Consequences of such an attempt from within ourselves within this County and Especially within the Grants, for should the friends of New-Hampshire Generally exert themselves at this time it would Universally alarm the Vermonters, and many who would not otherwise cum in this Quarter would exert themselves to the utmost to oppose the the Orders of the Assembly and all the New-Hampshire authority. I should think that if New-Hampshire are determined to Support and protect their friends in this Quarter and to maintain their Jurisdiction it will be absolutely Necessary that a Sufficient force should be collected from without the Grants be sure, if not from without the County of Cheshire; You will put yourself in our circumstances and especially in those of the Sheriff, and the other Prisoners, and I think you cant hesitate a Moment respecting what is necessary to be done and how it should be done

I am with Esteem, Your
Honors most Obed^t^ Hum^e^ Serv^t^
Ben^a^ Bellows

Hon^ble^ M. Weare,

231 [illegible] 1781

Copy of Grandey's mittimus

State of Vermont Washington ss.

Whereas John Grandy Junr of Chesterfield of said County was convened before me Samuel King Espire one of the Justices of the Peace for said County for inspecting and hearing Sum. Davis Constable of said Chesterfield executing his ofis & I proceed to examine into the natar & after due examination into the natar the offence appeared to me with its aggravation to be so notorious and horrid that I ordered the offender to be bound to the next County Cort & the said John did refuse to get bondsmen for his appearance at said Cort—

To the sheriff of said County his Deputy or either of the constables the Town of Chesterfield in the name and by the authority of the Freemen of the State of Vermont is or are hereby reqpired to take the body of John Grandey Junr of said Chesterfield if he may be found in within your precincts & him committ to the common Goal in Charlestown in said County within his said prison & our said Sheriff or Goal keeper is hereby reqpired to keep the said John till he had before our Justices of our next County Cort to be holden in said County, hereof fail not as you will answer on your peril.

Given under my hand at Chesterfield this 12th day of Novr 1781.

Samuel King Justice of the Peace.

Attest, Isaac Griswold Dept. Sheriff. ——— A true copy of what was left with me on the committing John Grandey to Goal in Charlestown on the 14th of Novr 1781. Attest.

The within copy was drawn by a person who was favoured by the Goal Keeper with the copies left with him, & the Goal Keeper was desired to examine & attest it but declined, it was then presented to the Sheriff with the same request but he declined signing it———

231.

State of Vermont }
County of Washington } Charlestown Decem^r 2^d 1781.

The following is a Copy of a Letter from Doct^r Paige—

Sir.

Two men belonging to Chesterfield have been taken by the authority of this State and committed to Goal in Charlestown for opposing the Constable of said Chesterfield in the Execution of his Office. Intelligence of which has been sent to the Gen^l Court of N. Hampshire who did resolve that Colo Hale proceed to said Goal and release the prisoners and in case of opposition to call on the civil & Military authority to support him, Colo Hale arrived on y^e 28^th of Nov. last & demanded the prisoners they being refused he attempted to break open the Goal & releas them, for which he was taken & committed to prison, but was released on his parole for the purpose of consulting Gen^l Bellows & calling on him to raise the Militia agreeable to the order of said Court, but the Gen^l refused to do it, the Colo is returned and now under confinement on the evening of the 29^th Gen^l Bellows sent an express to the Gen^l Court of New Hampshire excusing himself for not raising the Militia and informing them that if the Militia were to be raised it would be best to rain them without the limits of this County, Doutless there will be a force sent for the relief of Colo Hale in which case I shall call on you for assistance to oppose any force that may be sent. I therefore wish you to notify your Regiment without loss of time to be in readiness with Arms. ammunition & provision to march whenever I shall call to my support.— Have only to add that if the people that elected me into office will not turn out at so critical a Junction to support me in the Execution of my office I shall be under the Disagreeable necessity of giving up a Cause which I undertook for their and my own Good—

I am Sir &c. Wm Paige—Sheriff

Sir— I should be glad you would show this to Capt Hooper and Lieut Bundy & assist them in Notifying all that are friendly to the New-State to be in readiness with their arms, & Ammunition compleet with two or three days provision Each, to march to Charlestown on the shortest Notice

Capt Huntoons. — I am your humble Serv^t Wm Heyward Cobb

To Col. Chamberlain

I shall transmit to you a copy of an Express I Recd Saturday night for the Sheriff of this County

(State of Vermont) Charlestown December 1st A.D. 1781.
County of Washington) Sir, Two men belonging to Chesterfield have been taken by the authority of the State and Committed in the Goal in Charlestown for opposing the Constable of said Chesterfield in the Execution of his office — Intelligence of which has been sent to the General Court of New-Hampshire who did request that Col Hale proceed to said Goal and release the Prisoners in case of resistance to call on the Civil and Military authority of the State of New-Hampshire to support him meaning the authority of the County of Cheshire Col Hale arrived here on the 28th of November last demanded the Prisoners they being refused he attempted to break the Goal in order to release them for which he was taken and committed to Prison was released on his Parole for the Purpose of consulting General Bellows and calling on him to raise the Militia agreable to the order of said Court but the General refused to do it the Col. is returned and is now under confinement having the liberty of the Yard on the evening of the 29th General Bellows sent an Express to the General Court of New-Hampshire now siting excuseing himself for not raising the Militia and informing them that if the Militia are to be raised it would be best to train them without the limits of the County for the release of Col Hale doubtless this will be a force sent to relieve him in which case I shall call on you for assistance to withstand any Force that may be sent to release him if I am advised to by proper authority as the Law directs I wish your Regiment might be notified without loss of time to be in readiness properly provided with Provisions arms and ammunition to march on the shortest notice should I be under the disagreeable necessity of calling for your assistance I have sent similar Letters to Colonels Haywood Chase and Childs Regiments have only to add that if the People that elected me into office will not turn out at so critical a junction to Defend me and the Honour of the State and its Laws I shall

1932:5:14

be under the Disagreeable necessity of giving up a cause which I undertook for my own and their good I am Sir your

most obedient humble Servt.

To Colo. Samuel King — William Page Sheriff.

Therefore Sir I would desire you to favour the Captains in your Town with a copy of this or with and Exert yourself that the men may be all ready to March at the shortest notice and doubt not you nor the Captains Exertions on such an important matter and critical time as I view this to be and wish they may universally turn out in defence of so just a cause. I remain your most obedient Servant Samuel King)

December 92 1781. Colo.

To Colo Chamberlin. Capt Franklin Capt Coal, and Capt Butterfield

P. S. I have sent this Day to the other Irons in the Regiment similar Letters to this.

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Copy of General Bellows Letter

Walpole. Nov^r 29^th 1781

Sir

The methods taken by the General Assembly for liberating Messrs Bingham & Grandy are so far from being effectual for that purpose that the authority of Vermont have imprisoned the Sheriff of the County of Cheshire who was sent here for the purpose aforesaid. The authority of the said Vermont are determined to keep the Goal & their Prisoners and also to withstand & oppose by force of arms. All the Sheriffs & their Posses who may be employed by New-Hampshire to countermand any of their purposes, or designs, it is said they can raise (by their account) six hundred men at the shortest notice who will resolutely dispute the ground inch by inch. That the Posse should be raised to carry the orders of this State into execution now is absolutely necessary something effectual must be done dallying will not answer, & unless some force can be obtained from without from the County of Cheshire it will not be advisable to dispute the ground any longer. You cant but be sensible of the ill consequences of such an attempt from within ourselves within this County & especially within the Grant for should the friends of New-Hampshire generally exert themselves at this time it would universally alarm the Vermonters & many who would not otherwise arm in this quarrel would exert themselves to the utmost to oppose the orders of the Assembly and all the New-Hampshire authority. I should think that if New-Hampshire are determined to support and protect their friends in this quarter & to maintain their Jurisdiction it will be absolutely necessary that a sufficient force should be collected from without the Grants besure if from without the County of Cheshire. You will put yourself in our circumstances & especially in those of the Sheriff and the other Prisoners & I think you cant hesitate a moment respecting what is necessary to be done, and how it should be done

I am with esteem
Your Honors most obt humbl Servant
Benj^a Bellows

Hon^ble N. Vt Gov^r

9 Sept (Copy)

State of New-Hampshire.

In the year of our Lord one thousand seven hundred 81.

An Act.

For empowering the Sheriff of the County of Cheshire to release from Prison sundry of the good subjects of this State, imprisoned by certain evil minded persons, assuming Authority for so doing render the people inhabiting a territory commonly called Vermont; and for apprehending the persons so offending.

Whereas the People inhabiting a Tract of Country on the west side of Connecticut River originally granted by this State, and afterwards claimed by the State of New-York, have enacted themselves into a seperate and independent jurisdiction by the name of the State of Vermont; And whereas sundry Persons have, by colour of Authority under the said pretended State of Vermont, acted as civil officers, passed judgment and committed to Prison sundry of the good subjects of this State, and have seduced many of the inhabitants of the Counties of Cheshire and Grafton to submit to the jurisdiction of the said pretended State of Vermont, by means whereof the proper officers of the said Counties may be unable to releas the good subjects of this State from such illegal Imprisonment, and to apprehend the Persons so offending, without the special Aid of this Assembly: and inasmuch as an impartial Trial of the said offenders cannot probably be had neither the said Counties where the offences have or may be committed.

Therefore.

Be it Enacted by the Council and House of Representatives, in General Assembly convened and by the Authority of the same, it is hereby enacted, That the Committee of Safety be, and hereby is impowered and authorised to issue their order to the Sheriff of the County of Cheshire to release from Prison all Persons confined, or who may hereafter be confined in either of the said Counties by order on Authority of any pretended Court Magistrate, Officers, or other persons claiming Authority from the said pretended State of Vermont and to apprehend the persons, who heretofore have exercised, or who hereafter shall

attempt to exercise any office, Power or Authority neither the said Counties of Cheshire or Grafton from by or under the said pretended Authority of Vermont, and to convey said offenders to the common Goal in the County of Rockingham, or such other County in this State as the said committee may order there to remain until released by Order of the General Assembly, the Committee of Safety or by due course of Law

And be it further enacted by the Authority aforesaid That the said committee of Safety be, and hereby, are impowered to authorise the Sheriff of the said County of Cheshire to call upon the Sheriff or any on either of the other Counties in this State, to raise the Body of their respective Counties to aid and assist him in executing the orders of the Committee of Safety, either to release Persons imprisoned as aforesaid, or to apprehend the Person or Persons imprisoning them, and to convey the said offenders to any Prison within this State, and also to command the said of any officer or officers of the Militia or Troops of this State, which may at the time be within the Limits thereof, and commanded by our officers commissioned by this State and all officers and other Subjects of this State shall yield due obedience to such command.

And be it further enacted by the Authority aforesaid That the several and respective Counties of judicature in the County or Counties where the said offenders may be confined, be and they are hereby respectively impowered to hear try and determine any Process or Processes against said offenders, and to give judgment and awarded Execution thereon in the same Manner as though the offence had been committed within the Body of the County where such Trial is had; any Law usage or Custom to the contrary, in anywise notwithstanding. State of New Hampshire} In the House of Representatives. November 27th. 1781. The foregoing Bill having been read a third time, Voted That it pass to be enacted.

Sent up for concurrence. Wm. Whipple. Speaker. P. T

In Council November 28th. 1781

This Bill was read a third time; and voted that the same be enacted.

M. Weare. President

385 Copy examined by Joseph Pearson. D. Secretary

23/ ~~C. H. C.~~ J

Genl Starks to Cole Gates. 8th December. 1781. No-8.
Saratoga. 8th Decr 1781.

(Copy)

Received yours of this day— the instruction you mention must be the result of folly and madness. You will be very cautious not to begin hostilities with them, but stand your ground and act defensively till reinforced. Genl Ganswoort and Ransselear are raising their Brigades with the utmost dispatch for your assistance. I am ready to march the whole garrison when occasion may require of which you will be pleased to give me the earliest Intelligence

I am
with respect and esteem
Your humble servant
John Starks B. Genl.

To Cole Gates.

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Lebanon December 5th 1781

Sir

I must beg your Honors Company this morning at 9 o'clock at Esq. Woodards to consult with him and General Olcott relative to raising the Militia to defend the State against an attack from New-Hampshire, it is Mr Woodards particular desire you would not fail and I have sent to General Olcott. I will be necessary for me to return as soon as may be. must therefore pray your Honour will not fail of attending the conference by the time above mentioned.

I am Sir your Humble Servant
William Paige

His Honor (Lieut) Governor Waine
Lebanon New-Hampshire
By Express.

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Extract of a letter from B. Genl Stark to M. Genl Heath
dated Saratoga Decr 12th 1781

Dear Sir.

I am honored with your favor of the 5th instant should have wrote an answer before, but had sent to Bennington to gain the particulars of a riot raised some time ago, & which still continues at St. Coick. The particulars are as follows.

A party of men under the direction of Captain Abbott (An officer commissioned by Vermont in the State of New-York) assaulted a public house at Housock seized upon Colo Benselear, Bradt & others who considered themselves under the Government of the State of New-York, & abused them in a most outrageous manner, after which they carried them to Bennington & called upon the magistrates acting under the authority of Vermont to arrest them in (as they term it) a legal manner, but upon the magistrates refusing to interfere in the matter, they were dismissed. Colo: Renselier immediately upon his liberation represented the matter to Genl Ganswoort & invited his neighbours to join and protect him from a second abuse with which he was severely threatned, Genl Ganswoort approved his conduct. & ordered the militia on both sides of the north River above Albany to join them. Those persons called Vermonters discovered the motions of the Yorkers. & immediately collected their own force within half of a mile of the Quarters of the Yorkers & in this position the two detachments have continued for nigh a week. Yesterday about 12 o'clock the Yorkers were about 200 strong and the Vermonters about 100. do. What I mean by the Vermonters those acting under Vermont within the twenty mile line for I cannot learn as any have joined them belonging to Old Vermont. what the result of these two armies will be I cannot say but hope they will compromise the matter without blood shed. I think Congress would do well to interfere in the matter pass some severe and decisive edicts and see that they are put in execution before spring, otherwise the consequences may be exceeding serious and perhaps dangerous

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Charlestown Goal Decr 12th 1781

Sir

I have to inform your Honr that I wait the Pleasure of the Honble Committee of Safety who I trust will know my situation. Sir I have given Bonds for the liberty of the yard but could not give Bonds to appear at an unknown Court. — For the Honr of the State that sent me to this place — however I was prevented doing the business I was sent upon. I found the People to be much disappointed when they see that I refuse to Recognise and said that it would immediately bring on a Quarrel and many said they never would take up Arms for the sake of Jurisdiction & could only wish to know the pleasure of Congress on the matter which I think has been much kept from them by Designing Persons. Sir, Even those that are Leading in the insurrection were Pannick Struck on hearing that Two Thousand men was on their March but have since been much encouraged by hearing that the State of New-Hampshire did not know what to do with them Sir I think that now is the time to put Laws in Execution more especially the late act Sir the wisdom of the Honble committee is Sufficient to direct them. — I am Sir with much Respect your Honrs most obedt Humble Servant

Enoch Hale

Honorable

Meshech Weare Esq.

President &c.